

REMARKS

In the May 5, 2004 Office Action, claims 1, 3, 4, 7-9, 11, 12, 15, and 16 stand rejected in view of prior art, while claims 2, 5, 6, 10, 13, and 14 were indicated as containing allowable subject matter. Claims 7, 11, and 15 also were rejected for failing to indicate and claim particularly and distinctly the subject matter that Applicant regards as the invention. No other objections or rejections were made in the Office Action.

Status of Claims and Amendments

In response to the May 5, 2004 Office Action, Applicant has amended claims 1, 7-9, 11, and 15-16 as indicated above. Claims 2 and 10 were canceled. Applicant also wishes to thank the Examiner for the indication of allowable subject matter and the thorough examination of this application. Thus, claims 1, 3-9, and 11-16 are pending, with claims 1 and 9 being the only independent claims. Reexamination and reconsideration of the pending claims are respectfully requested in view of above amendments and the following comments.

Claim Rejections - 35 U.S.C. §112

On page 2 of the Office Action, claims 7, 11, and 15 were rejected under 35 U.S.C. §112, second paragraph. Specifically, the Office Action asserts that the language “said fixing means” in claim 11 has insufficient antecedent basis, and that it is not understood what surface of the seat member is referred to in claims 7 and 15. In response, Applicant has amended claims 7, 11, and 15 as presented above to delete and rephrase the rejected languages.

Applicant believes that the claims now comply with 35 U.S.C. §112, second paragraph. Withdrawal of the rejections is respectfully requested.

Rejections - 35 U.S.C. § 102

On pages 2-5 of the Office Action, claims 1, 43, 8, 9, 11, and 16 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Application Publication No.

2002/0056776 to Sugawara (“Sugawara patent”). Claims 1, 3, 8, 9, 11, and 16 stand rejected as being anticipated by U.S. Patent No. 5,683,051 to Hitomi (“Hitomi patent”). In response, Applicant has amended independent claims 1 and 9 to clearly define the present invention over the prior art of record.

In particular, independent claims 1 and 9 have been amended to recite that the seat member is fixedly coupled to one of the body member and the lid member with a first-direction screw member that extends in the first direction. This limitation was taken from claims 2 and 10, which have been indicated as containing allowable subject matter in the May 5, 2004 Office Action and are now canceled. Clearly, this structure is *not* disclosed or suggested by the Sugawara patent, the Hitomi patent, or any other prior art of record.

More specifically, the Sugawara patent and the Hitomi patent do not disclose or suggest a first-direction screw that extends in the first direction and fixedly couples the seat member to the body member or the lid member. The first direction is defined in claims 1 and 9 as the direction in which the body member is pulled apart from the lid member to detach the body member from the lid member.

The Sugawara patent clearly does not disclose a first-direction screw of claims 1 and 9. The Office Action on page 3 asserts that the spacer 13a of the Sugawara patent corresponds to the seat member of claims 1 and 9. Applicant respectfully disagrees with this assertion. As seen in Figure 2, the spacer 13a is clearly disposed *outside* the reel body 2a, while claims 1 and 9 as originally filed specifically require that the seat members be attached to *an inner peripheral surface* of the body member or the lid member. Thus, the spacer 13a does not satisfy the requirement of claims 1 and 9.

Furthermore, even assuming *arguendo* that the spacer 13a is the seat member, the Sugawara patent still fails to disclose a first direction screw member. As clearly seen in

Figures 2 and 3, the spacer 13a is attached to the reel body 2a with an unnumbered nut shown in Figure 2. The nut extends in an upward direction as seen in Figure 2. Clearly, the direction in which the unnumbered nut extends is *not* the direction in which the lid member 2d is pulled apart from the reel body 2a. *See* Figure 3. It is well settled under U.S. patent law that for a reference to anticipate a claim, the reference must disclose each and every element of the claim within the reference. Thus, Applicant believes that the Sugawara patent does not anticipate or suggest the structure of claims 1 and 19 as originally filed or as now amended.

Regarding the Hitomi patent, the Office Action seems to assert that the engagement protrusion 2d and the screw 222 of the Hitomi patent correspond to the seat member and the fixing means of claims 1 and 9. Applicant respectfully disagrees with this assertion. The engagement protrusion 2d is clearly disposed *outside* the reel body 2a as seen in Figures 2 and 3, while claims 1 and 9 as originally filed specifically require that the seat members be attached to *an inner peripheral surface* of the body member or the lid member. Thus, the engagement protrusion 2d of the Hitomi patent clearly does not satisfy the requirement of claims 1 and 9.

Furthermore, even assuming *arguendo* that the engagement protrusion 2d is the seat member, there is no disclosure or suggestion of a structure corresponding to the first-direction screw of claims 1 and 9 as now amended. However, the screw 222 of the Hitomi patent extends in the upward direction as seen in Figure 2. As seen in Figure 3, the direction in which the lid member or the cover unit 200 is pulled away from the reel body 2a is the direction orthogonal to the paper plane of Figure 2. There is no disclosure or suggestion of a screw that couples the seat member and extends in the direction in which the cover member 200 is pulled apart from the reel body 2a in the Hitomi patent. Thus, Applicant believes that

the Hitomi patent does not anticipate or suggest the structure of claims 1 and 9 as now amended, whether taken singularly or in combination with the Sugawara patent.

Moreover, Applicant believes that the dependent claims 3, 8, 11, and 16 are also allowable over the prior art of record in that they depend from independent claim 1, and therefore are narrower. Thus, Applicant believes that since the prior art of record does not anticipate the arrangements of independent claims 1 and 9, neither does the prior art anticipate the dependent claims.

Applicant respectfully requests withdrawal of the rejections.

Rejections - 35 U.S.C. § 103

On pages 5 and 6 of the Office Action, claims 4 and 12 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the Sugawara patent in view of U.S. Patent No. 6,050,513 to Benit et al. (“Benit patent”). Claims 7 and 15 stand rejected as being unpatentable over the Sugawara in view of U.S. Patent No. 4,372,701 to Watanabe (“Watanabe patent”). In response, Applicant has amended independent claims 1 and 9 as mentioned above.

More specifically, independent claims 1 and 9 now clearly recite that the seat member is fixedly coupled to one of the body member and the lid member with a first-direction screw member that extends in the first direction. Clearly, this arrangement is *not* disclosed or suggested by the Sugawara patent, the Hitomi patent, the Watanabe patent, the Benit patent, or any other prior art of record.

Discussions regarding the Sugawara patent and the Hitomi patent have been advanced above. Applicant believes that the Sugawara patent and the Hitomi patent do not anticipate or suggest the arrangements of claims 1 and 9 as now amended.

The Benit patent has been cited in the Office Action to show the rod attachment leg portion integrally formed with the lid member. Applicant respectfully disagrees with this

assertion in that the Benit patent does *not* disclose or suggest a lid portion or a reel body as required by claims 1 and 9. Claims 1 and 9 as originally filed clearly require that the body member of the reel body have an accommodation space opening to its *side*, and that the lid member cover the accommodation space. The Benit patent, however, does not disclose or suggest a reel body that has an accommodation space opening on its side or a lid member that closes the opening. Accordingly, the Benit patent clearly does not disclose or suggest the seat member is fixedly coupled to one of the body member and the lid member with a screw member that extends in the direction in which the lid member and the body member are pulled apart. Thus, Applicant believes that the Benit patent does not anticipate or suggest the structure of claims 1 and 19 as now amended, whether taken singularly or in combination with the Sugawara patent and the Hitomi patent.

The Watanabe patent has been cited in the Office Action to show the cover member and the seat member interposing the body member, asserting that a nut 4 of the Watanabe patent corresponds to the seating member of the present invention. However, claims 1 and 9 as currently amended require that the seat member be fixedly coupled with the cover member in a second direction, *as well as* that the seat member be fixedly coupled to the body member or the lid member with a first direction screw member. Since the Watanabe patent does not relate to fishing reels, the Watanabe patent clearly does not this requirement. Thus, Applicant believes that the Watanabe patent does not anticipate or suggest the structure of claims 1 and 19 as now amended, whether taken singularly or in combination with the Sugawara patent, the Hitomi patent, and the Benit patent.

Accordingly, Applicant believes that claims 1 and 9 are allowable over the prior art of record.

Thus, Applicant believes that ,since the prior art of record does not disclose or suggest the invention as set forth in independent claims 1 and 9, the prior art of record also fails to disclose or suggest the inventions as set forth in the dependent claims 4, 7, 12, and 15.

Therefore, Applicant respectfully requests that this rejection be withdrawn in view of the above comments and amendments.

Allowable Subject Matter

In paragraph * of the Office Action, claims 2, 5, 6, 10, 13, and 14 were indicated as containing allowable subject matter. Applicant wishes to thank the Examiner for this indication of allowable subject matter and the thorough examination of this application. In response, Applicant has amended claims 1 and 9 to respectively incorporate the limitations of claims 2 and 10, and canceled claims 2 and 10. Claims 5, 6, 13, and 14 remain to be dependent from claims 1 and 9. Thus, independent claims 1, 5, 6, 9, 13, and 14 are believed to be allowable.

Prior Art Citation

In the Office Action, additional prior art references were made of record. Applicant believes that these references do not render the claimed invention obvious.

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In view of the foregoing amendment and comments, Applicant respectfully asserts that claims 1, 3-9, 11-16 are now in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested.

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Respectfully submitted,



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